

110TH CONGRESS  
1ST SESSION

# H. R. 523

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IN THE SENATE OF THE UNITED STATES

OCTOBER 23, 2007

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Douglas County,  
3 Washington, PUD Conveyance Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) PUBLIC LAND.—The term “public land”  
7 means the approximately 622 acres of Federal land  
8 managed by the Bureau of Land Management and  
9 identified for conveyance on the map prepared by  
10 the Bureau of Land Management entitled “Douglas  
11 County Public Utility District Proposal” and dated  
12 March 2, 2006.

13 (2) SECRETARY.—The term “Secretary” means  
14 the Secretary of the Interior.

15 (3) PUD.—The term “PUD” means the Public  
16 Utility District No. 1 of Douglas County, Wash-  
17 ington.

18 (4) WELLS HYDROELECTRIC PROJECT.—The  
19 term “Wells Hydroelectric Project” means Federal  
20 Energy Regulatory Commission Project No. 2149.

21 **SEC. 3. CONVEYANCE OF PUBLIC LAND, WELLS HYDRO-**  
22 **ELECTRIC PROJECT, PUBLIC UTILITY DIS-**  
23 **TRICT NO. 1 OF DOUGLAS COUNTY, WASH-**  
24 **INGTON.**

25 (a) CONVEYANCE REQUIRED.—Notwithstanding the  
26 land use planning requirements of sections 202 and 203

1 of the Federal Land Policy and Management Act of 1976  
2 (43 U.S.C. 1712, 1713), and notwithstanding section 24  
3 of the Federal Power Act (16 U.S.C. 818) and Federal  
4 Power Order for Project 2149, and subject to valid exist-  
5 ing rights, if not later than 45 days after the date of com-  
6 pletion of the appraisal required under subsection (b), the  
7 Public Utility District No. 1 of Douglas County, Wash-  
8 ington, submits to the Secretary of the Interior an offer  
9 to acquire the public land for the appraised value, the Sec-  
10 retary shall convey, not later than 30 days after the date  
11 of the offer, to the PUD all right, title, and interest of  
12 the United States in and to the public land.

13 (b) APPRAISAL.—Not later than 60 days after the  
14 date of enactment of this Act, the Secretary shall complete  
15 an appraisal of the public land. The appraisal shall be con-  
16 ducted in accordance with the “Uniform Appraisal Stand-  
17 ards for Federal Land Acquisitions” and the “Uniform  
18 Standards of Professional Appraisal Practice”.

19 (c) PAYMENT.—Not later than 30 days after the date  
20 on which the public land is conveyed under this section,  
21 the PUD shall pay to the Secretary an amount equal to  
22 the appraised value of the public land as determined under  
23 subsection (b).

24 (d) MAP AND LEGAL DESCRIPTIONS.—As soon as  
25 practicable after the date of enactment of this Act, the

1 Secretary shall finalize legal descriptions of the public land  
2 to be conveyed under this section. The Secretary may cor-  
3 rect any minor errors in the map referred to in section  
4 2 or in the legal descriptions. The map and legal descrip-  
5 tions shall be on file and available for public inspection  
6 in appropriate offices of the Bureau of Land Management.

7 (e) COSTS OF CONVEYANCE.—As a condition of con-  
8 veyance, any costs related to the conveyance under this  
9 section shall be paid by the PUD.

10 (f) DISPOSITION OF PROCEEDS.—The Secretary shall  
11 deposit the proceeds from the sale in the Federal Land  
12 Disposal Account established by section 206 of the Fed-  
13 eral Land Transaction Facilitation Act (43 U.S.C. 2305)  
14 to be expended to improve access to public lands adminis-  
15 tered by the Bureau of Land Management in the State  
16 of Washington.

17 **SEC. 4. SEGREGATION OF LANDS.**

18 (a) WITHDRAWAL.—Except as provided in section  
19 3(a), effective immediately upon enactment of this Act,  
20 and subject to valid existing rights, the public land is with-  
21 drawn from—

22 (1) all forms of entry, appropriation, or disposal  
23 under the public land laws, and all amendments  
24 thereto;

1           (2) location, entry, and patenting under the  
2           mining laws, and all amendments thereto; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws, and all amendments thereto.

(b) DURATION.—This section expires two years after the date of enactment of this Act or on the date of the completion of the conveyance under section 3, whichever is earlier.

10 SEC. 5. RETAINED AUTHORITY.

11           The Secretary shall retain the authority to place con-  
12 ditions on the license to insure adequate protection and  
13 utilization of the public land granted to the Secretary in  
14 section 4(e) of the Federal Power Act (16 U.S.C. 797(e))  
15 until the Federal Energy Regulatory Commission has  
16 issued a new license for the Wells Hydroelectric Project,  
17 to replace the original license expiring May 31, 2012, con-  
18 sistent with section 15 of the Federal Power Act (16  
19 U.S.C. 808).

Passed the House of Representatives October 22,  
2007.

Attest: LORRAINE C. MILLER,  
*Clerk.*